IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1952 OF 2006
WITH
CRIMINAL WRIT PETITION NO.1953 OF 2006

Susheel S. Somani & Ors. ...Petitioners
(in both the Petitions)

vs.

The State of Maharashtra & Anr. ...Respondents
(in both the Petitions)

Mr.Virendra Tulzapurkar, Sr.Counsel with Mr.Hemang Parekh
i/b M/s.Shiralkar & Co. for the Petitioners
Mr.A.S.Shitole,A.P.P. for Respondent No.1-State
Mr.Manoranjan Sahu, Addl.P.P. for Respondent No.2

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 19,2006.

P.C.:

1. Heard learned Senior Counsel appearing for the Petitioners. These Petitions under Articles 226 and 227 of Constitution of India read with section 482 of the Code of Criminal Procedure,1973 have been filed for quashing private complaints filed by the second Respondent. In the said complaints, the learned Magistrate had issued process. In view of the law laid down by this Court in case of V.K.Jain Vs.Pratap Padode and others reported in (2005) 3 Mh.L.J. page 778, a remedy of preferring a Revision Application in the Sessions Court is available to the Petitioners for challenging the order issuing process. In view of the said decision, these Petitions are not entertained and the same are rejected.

2.Notwithstanding rejection of these Petitions, it will be open for the Petitioners to approach appropriate court by filing Revision Applications for challenging the orders issuing process. All contentions on merits are kept open.

JUDGE